

IN RE: PETITION FOR SPECIAL HEARING
SW/S Hazy Way Court, 155' SE
of Holly Hunter Road
(502 Hazy Way Court)
15th Election District
5th Councilmanic District

John S. Barranco, Jr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-405-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 502 Hazy Way Court, located off of Carroll Island Road in the vicinity of Bengies/Bowleys Quarters. The Petition was filed by the owner of the property, John S. Barranco, Jr., in response to a zoning violation notice he received for blocking an access easement to the rear of his property. The Petitioner seeks a determination that the area to the rear of his property is not an access easement and may therefore be blocked without the necessity of amending the final development plan, or, in the alternative, to approve an amendment to the last amended final development plan for Lot 1, Block B of Carrollwood Manor, to permit the blockage of said easement. The subject property and relief sought are more particularly described on the site plan and photographs submitted and accepted into evidence as Petitioner's Exhibits 1 and 2, respectively.

Appearing at the hearing on behalf of the Petition were John Barranco, Jr., property owner, and Carol Harris, property owner to the rear of this site. Appearing as Protestants in the matter were Doris Peake and Estelle Blandon, nearby residents of the area, and John Mitchell.

Testimony and evidence offered revealed that the subject property consists of 3,760 sq.ft., more or less, zoned D.R. 5.5 and is improved with

ORDER RECEIVED FOR FILING
Date 7/1/95
By [Signature]

10-1-95

a two-story single family dwelling. In approximately October, 1994, the Petitioner had driven five steel rods into the ground along his rear property line in order to block individuals from trespassing through his property. Mr. Barranco testified that he wishes to erect a 6-foot high stockade fence along the rear of his property which abuts a 10-foot wide drainage and utility easement. Testimony indicated that this drainage easement runs behind his property and others which front on Hazy Way Court, and the townhouse units that abut the rear of those properties on Hazy Way Court and front on Holly Hunt Road. Mr. Barranco testified that several of the properties which abut this easement have been vandalized and he believes that the proposed fence would effectively block individuals from trespassing through his property.

The Protestants are vehemently opposed to the blocking of this easement as it interferes with their ability to access the front of their properties from their rear yards. Ms. Peake and Ms. Blandon reside in the townhouses which front on Holly Hunt Road and abut the easement to the rear. They testified that if Mr. Barranco is permitted to block this access easement, they will have to carry their lawn mowers through their homes in order to cut the grass in their front yards. Apparently, there is no other means of access to the rear of those townhouse units facing Holly Hunt Road.

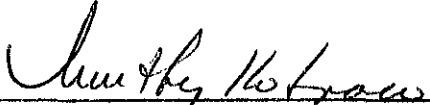
In order to decide this issue, it was necessary to consult the final development plan for Carrollwood Manor which would identify the locations of access and utility easements throughout this development. This development plan clearly labels the easement behind Mr. Barranco's property as being a 10-foot drainage and utility easement and access easement. It is important to note that this easement has also been labeled as an access easement, which cannot be blocked and must remain open and free

of any obstruction. Neither Mr. Barranco nor any other resident of this community is permitted to block this access easement, whether it be by fencing, sheds, or other similar structures. Therefore, the special hearing relief sought by Mr. Barranco must be denied. Furthermore, in view of the photographs submitted by the Petitioner, this matter shall be referred to the Zoning Enforcement Division of the Zoning Administration and Development Management (ZADM) office to advise all residents adjacent to this easement that any and all structures, including sheds, fences, etc., located within this access easement must be removed, or the property owner shall be found in violation of the Baltimore County Zoning Regulations (B.C.Z.R.)

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested in the special hearing must be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1995 that the Petition for Special Hearing seeking a determination that the area to the rear of this property is not an access easement and may therefore be blocked without the necessity of amending the final development plan for Lot 1, Block B of Carrollwood Manor, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Zoning Administration and Development Management (ZADM) office notify all residents abutting this 10-foot access/utility easement that any and all structures located therein must be removed or the property owner will be cited with a zoning violation.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

399



Petition for Special Hearing

95-40.5-SPH

to the Zoning Commissioner of Baltimore County

for the property located at

502 HAZY WAY COURT

which is presently zoned

~~DR 5.5~~ DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve blockage of an area by:

determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan, or

As an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1 Block B

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Leasee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

John S. Barranco Jr.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

410-859-7251 (W)

502 Hazy Way Court

410-335-5343 (H)

Address

Phone No

Baltimore,

MD

21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

5/4/95

ORDER RECEIVED FOR FILING

Date

By



MICROFILM

Zoning Description

399
95-405-S(41)

Zoning Description For 502 Hazy Way Court

Election District 15th Councilmanic District 5th
Beginning at a point on the southwest side of Hazy
Way Court at a distance of 155 ft± southeast of the
centerline of Holly Hunt Road. Being Lot #1, Block
B, in the subdivision of Carrollwood Manor as
recorded in Baltimore County Plat Book #39, Folio
#26 containing lot size 3,760 sq ft±.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-405-SPH

District 158A

Date of Posting 5/20/95

Posted for: Special Hearing

Petitioner: Jahn Barranco, Jr.

Location of property: 602 Holly Way Ct, S.W.

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. Healy Date of return: 5/26/95
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-405-SPH
(Item 399)
802 Hazy Way Court
SW/S Hazy Way Court,
185 SE of Holly Hunt Road

15th Election District
5th Councilmanic
Legal Owner(s):
John S. Barranco, Jr.
Hearing: Monday,
June 12, 1995 at 11:00
a.m. in Rm. 118, Old
Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan; OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the file and/or Hearing, Please
Call 887-3391.
5/24/95 May 18.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 19, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on May 4, 1995

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

~~Signature~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-405-SPH

Account: R-001-6150

Number 399

By VLL

Date

5/4/95

1 RES SPH Code 030 50.00

1 SIGN POSTING "080 35.00

TOTAL = 85.00

BARRANCO

502 HAZY WAY CT.

RECEIVED
MAY 10 1995

01A0180073K1CHBC

\$85.00

80 0009129A005-04 95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 399

Petitioner: BARRANCO

Location: 502 HAZY WAY CT.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John S Barranco Jr.

ADDRESS: 502 Hazy Way Court
Baltimore MD 21204

PHONE NUMBER: (410) 335-5043

AJ:ggs

MICROFILMED

(Revised 04/09/93)



Printed with Soybean Ink
on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, MD 21220
335-5343

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-405-SPH (Item 399)
502 Hazy Way Court
SW/S Hazy Way Court, 155' SE of Holly Hunt Road
15th Election District - 5th Councilmanic
Legal Owner(s): John S. Barranco, Jr.
HEARING: MONDAY, JUNE 12, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan; OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-405-SPH (Item 399)
502 Hazy Way Court
SW/S Hazy Way Court, 155' SE of Holly Hunt Road
15th Election District - 5th Councilmanic
Legal Owner(s): John S. Barranco, Jr.
HEARING: MONDAY, JUNE 12, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan; OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "J" and "B".

Arnold Jablon
Director

cc: John S. Barranco, Jr.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, Maryland 21220

RE: Item No.: 399
Case No.: 95-405-SPH
Petitioner: J. S. Barranco, Jr.

Dear Mr. Barranco:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 22, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 390, 399, 402, 403 and 407.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol Keller

PK/JL

MICROFILMED

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396,
397, 398, 399 AND 400.

RECEIVED

MAY 16 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-12-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 399 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

6/1/95

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 4, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, ZADM

SUBJECT: Item #399
502 Hazy Way Court

I suggested that photos and possibly a more detailed exhibit may be a good idea for hearing.

JLL:scj

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DATE: May 31, 1995

TO: Lee S. Thomson
Office of Law

FROM: James H. Thompson
Zoning Enforcement

RE: Case No. 94-144
502 Hazy Way Court
Barranco - Defendant
15th Election District

The referenced case is scheduled for district court on June 7, 1995 at 1:30 p.m.

Currently, there will be a public hearing in Case No. 95-405-SPH before the zoning commissioner to address the issue outlined in the citation sent by Craig McGraw.

If you cannot have this case removed from the docket at this late date, then we will have to continue this matter pending the outcome of the special hearing.

JHT/hek

c: Doris Peake
Craig McGraw
Gwen Stephens

RE: PETITION FOR SPECIAL HEARING
502 Hazy Way Court, SW/S Hazy Way Court,
155' SE of Holly Hunt Road, 15th
Election District, 5th Councilmanic

John S. Barranco, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-405-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John S. Barranco, Jr., 502 Hazy Way Court, Baltimore, MD 21220, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

**M&H Development Engineers, Inc.****200 E Joppa Road****Room 101, Shell Building****Towson MD 21286****(410) 828-9060****Fax: (410) 828-9066****Telefax Cover Sheet**

DATE: 6-9-95

TO: Doris Perake

FROM: Vince

OF PAGES INCLUDING COVER SHEET: 4

If you do not receive all pages or have any problems receiving this transmission, please call the office as soon as possible.

W. J. J. J. J.

Real Estate Plus

7-20-88

M. ANITA DOWLING
Broker

Dear Property Owner,
As per the enclosed survey for
501 Happy Way Ct. which the
rear of your property abuts, your
fence & shed are encroaching on
this property and need to be
removed as soon as possible so
we can go to settlement as
scheduled. I have also enclosed
a plat of Happy Way Ct. & the
recorded plat showing your lot
which measures 65' x 100' x 119' x 10'.
I hope these will expediate the
removal of your fence & shed from
501 Happy Way Ct. Sincerely,

M. Anita Dowling

8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301-321-0030

✓ Ronald + Debbie Brown as principal resident of
511 Holly Hunt Rd. have recently (August 1st, 1988)
been made aware that my backyard fencing is occupying property
owned by Mr. John S. Barranco Jr of 502 Hazy Way Court
directly behind my principal residence. Mr. Barranco has provided me
with plat dimensions and survey data attesting to said encroachment. ✓
acknowledge receipt of those records and acknowledge the fact that ✓
am occupying a portion of his property. As per Mr. Barranco's
instructions, I will remove my personal property from his land
as soon as possible but no later than September 18th, 1988, after
which time I will be held liable for damages.

Signed

Mr + Mrs Ronald Brown
8/08/88

Real Estate Plus

M. ANITA DOWLING
Broker

7-20-88

Dear Mr. Osment,

As per the enclosed survey for
501 Hazy Way Ct. which the
rear of your property abuts, your
fence & shed is encroaching on
this property and needs to be
removed as soon as possible so
we can go to settlement as
scheduled. I have also enclosed
a plat of Hazy Way Ct & the
recorded plat showing your lot
which measures 18 x 100 ft. I hope
these will expediate the removal
of your fence & shed from 501 Hazy
Way Ct.

Sincerely,
M. Anita Dowling

8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301-321-0030

MICROFILMED

✓ Wes Osment as principal resident of
513 Holly Hunt Rd have recently (August 1st, 1988)
been made aware that my backyard fencing is occupying property
owned by Mr. John S. Barranco Jr of 502 Hazy Way Court

directly behind my principal residence. Mr. Barranco has provided me
with plat dimensions and survey data attesting to said encroachment. ✓
acknowledge receipt of those records and acknowledge the fact that ✓
am occupying a portion of his property. As per Mr. Barranco's
instructions, I will remove my personal property from his land
as soon as possible but no later than September 18th, 1988, after
which time I will be held liable for damages.

Signed Wes Osment Jr.

Real Estate Plus

7-20-82

M. ANITA DOWLING
Broker

Dear Jerry & Melissa,

I have enclosed copies of the recorded plat showing your lot which measures 18 feet wide & 100 feet deep. a copy of the survey showing the encroachment of your fence & the approximate spot the other rear stake would have been if your neighbor's shed was not in the way. I hope these will help to expediate the removal of your fence from the property at 501 Happy Way Ct. so we can get to settlement as scheduled. Sincerely,

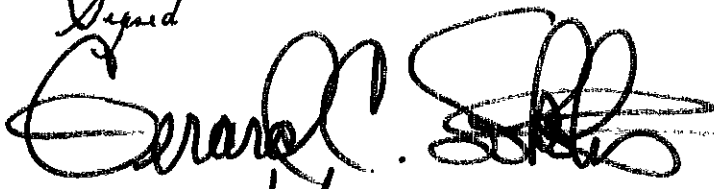
M. Anita Dowling

8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301 - 321-0030

MICROFILMED

✓ GERARD C. SOKOLIS as principal resident of
515 HOLLY MOUNT RD have recently (August 1st, 1988)
been made aware that my backyard fencing is occupying property
owned by Mr. John S. Barranco Jr of 502 Hazy Way Court

directly behind my principal residence. Mr. Barranco has provided me
with plat dimensions and survey data attesting to said encroachment. ✓
acknowledge receipt of those records and acknowledge the fact that ✓
am occupying a portion of his property. As per Mr. Barranco's
instructions, I will remove my personal property from his land
as soon as possible but no later than September 18th, 1988, after
which time I will be held liable for damages.

Signed

8/8/88

March 9, 1972

OFFICE OF PLANNING AND ZONING

CHECKLIST FOR DEVELOPMENT PLANS

(PARTIAL OR FINAL)

GENERAL:

1. Name of Subdivision and Section
2. Election District
3. Name and address of owner, developer, engineer or land surveyor. (Seal)
4. Scale: Must be legible and clearly show enough detail per engineering scale approved by Office of Planning and Zoning
5. North arrow
6. Date
7. Location Plan: to be legible and clearly relate the site to it's surroundings
8. Bearings and distances around complete outline of tract
9. Existing topography and major vegetation
10. Relation of tract to additional property owned. (If partial development plan)
11. Complete acreage and density calculations
12. Signature block:

Office of Planning and Zoning Approved by:	
Director _____	Date _____
Zoning Commissioner _____	Date _____

MICROFILMED

NOTES:

JB 2/1

1. Location, types, and exterior dimensions of all proposed structures and existing structures to be retained.

JB 2/1

2. Density Units — typical floor plans of each model, drawn to scale. (To include square footage of each room and location of windows)

JB 2/1

Dwelling Units — location of windows

JB 2/1

3. Typical elevation drawing showing height to height relationships and the horizontal distance between buildings and relationships between opposite windows.

JB 2/1

4. Setbacks, to be shown thusly, where applicable:

Transition areas,

300' from existing dwelling (offsite)

250' from existing lot of record (less than 2 acres)

75' between D.R. 16 building and any other D.R. zone

30' building to tract boundary

50' building to center line of street (existing at time of development)

25' building to street right of way (existing at time of development)

15' window to property line

25' window to street right of way

35' window to tract boundary

40' window to window (different buildings)

exception — clerestory

JB 2/1

5. Maximum width of any building or group of attached buildings is 300'.

JB 2/1

6. Minimum width of any exterior passageway or archway between buildings is 10'.

JB 2/1

7. Private Space Factor:

When open land is sold and belongs to the dwelling unit, a minimum area (contiguous) of 500 square feet is required. The minimum depth of this contiguous area is 15' covered areas such as porches cannot be calculated in this space.

Continued

(3)

JBB 2/4

8. Garage — Carport Setback:

A minimum distance of 22' must be held when garage or carport enter directly from the street

JBB 2/4

9. Proposed grading (entire development plan site)

JBB 2/4

10. Proposed landscaping, types (typical unit)

JBB 2/4

11. Common amenity open space (including local open space), complete acreage and calculations

JBB 2/4

12. Indication of who will retain and maintain open space. (Copy of covenants must be attached to development plan)

JBB 2/4

13. Pathways or access to rear of townhouses

JBB 2/4

14. Streets and drives giving access to and lying within tract must be named and dimensioned.

JBB 2/4

15. Indication of average daily trips (ADT's) for all interior roads, bays, courts, etc.

JBB 2/4

16. Motorway designations (if required by the Office of Planning and Zoning)

JBB 2/4

17. Location and size of existing and proposed utilities in right-of-way, on site and adjacent to property

JBB 2/4

18. Layout of parking facilities indicating typical size of parking space and length of all parking bays

JBB 2/4

19. Screening must be provided by a wall, fence, or 4 foot high (minimum) compact screen planting between parking areas and off-site residential and institutional uses or zones

JBB 2/4

20. Location and type of all dumpsters, refuse containers and central collection points. If refuse is to be collected from within buildings, such should be noted on plan

JBB 2/4

21. Indicate whether density/dwelling units will be rented or sold.

2/15/2012

Continued

(4)

PARKING:

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

JB 2/1/8

1. No parking space shall be closer to a street right of way line than 8 feet. (Exception: special conditions approved by the Department of Public Works and the Office of Planning and Zoning).
2. Maximum length of a parking bay is 180 feet, adjoining parking bays must be separated by a 10 foot divider strip.
3. Parking spaces will be a minimum of 9 feet X 18 feet.
4. No entrance on a County road shall be closer than 10 feet to a side property line.
5. Private parking areas and driveways shall be paved with a durable and dustless surface. (Surfacing agent will be designated).
6. All dead-end parking bays will be provided with acceptable back-around or turn-around areas.
7. Head-in to head-in parking should be separated by a 6 foot median or divider strip.
8. 60 foot minimum for double sided head-in bay parking and accompanying drive.
9. 42 foot minimum for single bay head-in parking and accompanying drive.
10. Direct access from individual parking spaces or private driveways where ADT exceeds 1000 vehicles is subject to the approval of the Traffic Engineer, Director of Planning and the Director of Public Works.
11. Head-in or angle parking on opposite sides of a traveled way must be staggered or confined to one side of a traveled way where ADT exceeds 600
12. Head-in parking is permitted on a court or cul-de-sac with less than 800 ADT.
13. The offstreet parking requirement may be satisfied within the Public right of way only with the written permission of the Director of Public Works.
14. All parking spaces must be accessible and not subject to blockage by other vehicles.
15. Offstreet parking spaces should be closer or more conveniently related to the door of home or unit than to the street curb. Where this requirement is not met, wider streets may be required.

Continued

(5)

JB 2/11

16. All lighting used to illuminate off street parking areas is subject to the approval of the Office of Planning and Zoning. Detailed information may be required by this office as to type of lighting and location and height of light standards.

JB 2/11

17. Details concerning entrances on State Roads are subject to the approval of the State Highway Administration. (383-4321)

JB 2/11

18. Parking shall be provided according to the following schedule:

<u>Zoning Classification</u>	<u>Minimum number of off street spaces per dwelling or density unit</u>
----------------------------------	---

D.R.1	2 per dwelling unit
-------	---------------------

D.R.2	2 per dwelling unit
-------	---------------------

D.R.3.5	2 per dwelling unit
---------	---------------------

D.R.5.5	1.75 per dwelling unit
---------	------------------------

D.R.10.5	1.75 per dwelling unit
----------	------------------------

*D.R.16	1.53 per density unit
---------	-----------------------

*R.A.E.1	1.53 per density unit
----------	-----------------------

R.A.E.2	1 per dwelling unit
---------	---------------------

*Not less than 1 space per dwelling unit.

JB 2/11

19. Since the above schedule is designed to provide for average needs plus an additional safety factor, it is necessary to provide for the multi-car family, deliveries and social functions. Where parking is provided by individually owned spaces the street section must be designed for additional nonresident parking on the street. Where parking is owned in common or by an apartment operator at least .3 of the total offstreet requirement must not be assigned to individual residents but designated for common use.

CAIR
SPANNER
823/8037

OFFICE OF PLANNING AND ZONING
CHECKLIST FOR DEVELOPMENT PLANS

(PARTIAL OR FINAL)

12/23/79
14/11/79
11/23/79
GENERAL

Show Zoning lines
See Vicinity Map
7. ☒

1. Name of Subdivision and Section
2. Election District
3. Name and address of owner, developer, engineer or land surveyor. (Seal)
4. Scale: Must be legible and clearly show enough detail per engineering scale approved by Office of Planning and Zoning
5. North arrow
6. Date
7. Location Plan: to be legible and clearly relate the site to it's surroundings *show rds. within this sect.*
8. Bearings and distances around complete outline of tract + heavy up
9. Existing topography and major vegetation See Notes
10. Relation of tract to additional property owned. (If partial development plan)
11. Complete acreage and density calculations *break down the number of dwelling units + density units*
12. Signature block: *See L. H. of sheet*

It should be heavy so you can see thru

7






Office of Planning and Zoning	
Approved by:	
Director of Planning	Date
Zoning Commissioner	Date

OK

See lower R.H. for who

MICROFILMED

NOTES:

- length & width of each bldg*
1. Location, types, and exterior dimensions of all proposed structures and existing structures to be retained. 
2. Density Units — typical floor plans of each model, drawn to scale. (To include square footage of each room and location of windows) 
3. Dwelling Units — location of windows *clarify in note form* 
4. Typical elevation drawing showing height to height relationships and the horizontal distance between buildings and relationships between opposite windows. 
5. Setbacks, to be shown thusly, where applicable:
- Transition areas,
 - 300' from existing dwelling (offsite)
 - 250' from existing lot of record (less than 2 acres)
 - 75' between D.R. 16 building and any other D.R. zone
 - 30' building to tract boundary
 - 50' building to center line of street (existing at time of development)
 - 25' building to street right of way (existing at time of development)
 - 15' window to property line
 - 25' window to street right of way
 - 35' window to tract boundary
 - 40' window to window (different buildings)
 - exception — clerestory
6. Maximum width of any building or group of attached buildings is 300'.
7. Minimum width of any exterior passageway or archway between buildings is 10'.
8. Private Space Factor: *Do this*
- When open land is sold and belongs to the dwelling unit, a minimum area (contiguous) of 500 square feet is required. The minimum depth of this contiguous area is 15' covered areas such as porches cannot be calculated in this space. 

NOTES

Note

show in note form

PARKING:

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- ✓ 2. Maximum length of a parking bay is 180 feet, adjoining parking bays must be separated by a 10 foot divider strip.
- ✓ 3. Parking spaces will be a minimum of 9 feet X 18 feet.
- ✓ 4. No entrance on a County road shall be closer than 10 feet to a side property line.
- ~~✗~~ ~~✗~~ 5. Private parking areas and driveways shall be paved with a durable and dustless surface. (Surfacing agent will be designated). *Note: All Balto Co Streets!*
- ✓ 6. All dead-end parking bays will be provided with acceptable back-around or turn-around areas.
- ✓ 7. Head-in to head-in parking should be separated by a 6 foot median or divider strip.
- ✓ 8. 60 foot minimum for double sided head-in bay parking and accompanying drive.
- ✓ 9. 42 foot minimum for single bay head-in parking and accompanying drive.
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- ✓ 11. Head-in or angle parking on opposite sides of a traveled way must be staggered or confined to one side of a traveled way where ADT exceeds 600
- ✓ 12. Head-in parking is permitted on a court or cul-de-sac with less than 800 ADT.
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- ✓ 14. All parking spaces must be accessible and not subject to blockage by other vehicles.
- ✓ 15. Offstreet parking spaces should be closer or more conveniently related to the door of home or unit than to the street curb. Where this requirement is not met, wider streets may be required.

show typical

16. All lighting used to illuminate off street parking areas is subject to the approval of the Office of Planning and Zoning. Detailed information may be required by this office as to type of lighting and location and height of light standards. 16 ☐

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D.R.3.5	2 per dwelling unit
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D.R.10.5	1.75 per dwelling unit
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*D.R.16	1.53 per density unit
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19. Since the above schedule is designed to provide for average needs plus an additional safety factor, it is necessary to provide for the multi-car family, deliveries and social functions. Where parking is provided by individually owned spaces the street section must be designed for additional nonresident parking on the street. Where parking is owned in common or by an apartment operator at least .3 of the total offstreet requirement must not be assigned to individual residents but designated for common use.

*George.. Show Envelope Note on F.D. Plan
OK - upper P.H. under Vicinity Map*

DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS DECLARATION, made this 22nd day of March in the year one thousand nine hundred and seventy-three by Carrollwood Manor, Inc., hereafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of certain properties in the Fifteenth Election District of Baltimore County, described in the attached land descriptions, marked Exhibit "A" and further described on the record plats, entitled Section One, Carrollwood Manor and Section Two, Carrollwood Manor, recorded or intended to be recorded among the Land Records of Baltimore County in Liber No. _____, Folio No. _____; which record plat shows certain open space.

AND WHEREAS, Declarant now and hereafter covenants said properties subject to certain protective covenants, conditions, and restrictions hereafter set forth:

NOW, THEREFORE, Declarant hereby declares that all the properties specifically described as open space areas above shall be held, sold, and conveyed subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the subject property and for the use, benefit, and enjoyment, in common, of the residents. These covenants, conditions, and restrictions shall run with the real property and shall be binding on all parties having or acquiring any right, title, or interest in the described properties or any part thereof, and shall inure to the benefit of all the residents thereof, except and in the event such restrictions are removed or modified in accord with Article V hereof, in which event Declarant shall be relieved of its obligation to the extent enumerated in such removal, modification or amendment.

ARTICLE I

- DEFINITIONS -

- | | |
|------------------|--|
| <u>Section 1</u> | "Properties" shall mean and refer to those certain real properties hereinbefore described as open space areas. |
| <u>Section 2</u> | "Improvements" shall mean all structures, pools, fences, etc., on hereinbefore described properties for the common use and enjoyments of the residents of the hereinbefore described tract. |
| <u>Section 3</u> | "Owner" shall mean and refer to the record owner whether one or more entities or persons are so associated with said ownership, but excluding those having such interest merely as security for the performance of obligation. |
| <u>Section 4</u> | "Declarant" shall mean and refer to Carrollwood Manor, Inc., its successor and assigns if such successors or assigns should acquire any of the hereinbefore described properties from the Declarant. |

MICROFILMED

Section 5 "Residents" shall mean and refer to the resident occupants of residential structures within the boundaries of the hereinbefore described tract.

ARTICLE II

- USE RESTRICTIONS -

No properties hereinbefore set forth as open space areas shall be used except for recreational, park beautification or amenity purposes and (drainage and sediment control facilities as required by Baltimore County).

No noxious or offensive activities shall be carried on upon any open space area, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No sign of any kind shall be displayed to the public view on any open space area except one (1) sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any open space area except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for a commercial purpose and provided that this provision is not in conflict with any lease or agreement between the owner and any residents in question.

No open space area shall be used or maintained as a dumping ground for rubbish, trash, garbage or shall other waste be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

No private sewage disposal system shall be permitted on any open space area, except a system connected to the Metropolitan Sanitary System.

No private water supply system shall be permitted on any open space area, except a system connected to the Metropolitan Water Supply.

Nothing in this article shall be construed to prohibit traversing the open space area with underground pipes supplying water, sewer, gas, electric or telephone services to improvements at developed areas or areas to be developed.

Method of trash collection is subject to the approval of Baltimore County.

ARTICLE III

- BUILDING RESTRICTIONS -

No improvements other than improvements normally used in connection with recreational, park, water, sewer, gas, electric, telephone, drainage or sediment control facilities shall be built on open space previously described.

ARTICLE IV

- MAINTENANCE -

The owner or his agent(s) shall supervise, manage, operate, examine, inspect, care for, preserve, replace, restore and maintain the open space areas and the improvements situated thereon in accordance with reasonable park and open space maintenance standards.

The owner shall assume responsibility for the continuing preservation and care of all open space areas and improvements thereon, including but not limited to, the removal of trash, debris and fallen trees, stumps and high grass which could reasonably be expected to contribute to accident, injury, or generally unsafe or unsanitary conditions.

ARTICLE V

- GENERAL PROVISIONS -

- Section 1 Failure to enforce any covenant or restriction herein, shall in no event be deemed a waiver of the right to do so thereafter.
- Section 2 Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.
- Section 3 The covenants and restrictions of this Declaration shall run with and bind the land in perpetuity, unless redevelopment is in accordance with applicable laws, ordinances, codes, zoning and policies of the State of Maryland and Baltimore County and such redevelopment is permitted to take place without the covenants, conditions, and restrictions stated herein.
- Section 4 This declaration may be amended by an effective instrument executed by the Declarant or its assignees so long as such amendments are approved by Baltimore County.

WITNESS the hands and seals of the parties to this Declaration above written:

CARROLLWOOD MANOR, INC.

By: 

William F. Logue, Vice President

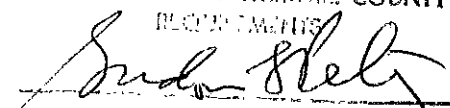
WITNESS:



Louis C. Smith

REVIEWED FOR BALTIMORE COUNTY

RECEIVED



ASSISTANT COUNTY SOLICITOR

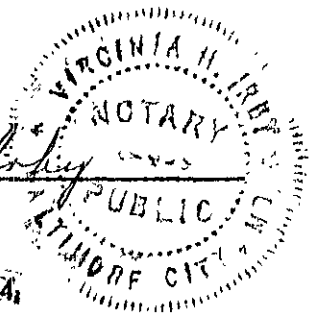
STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 22nd day of March in the year of one thousand nine hundred and seventy-three, the subscriber, a Notary Public of the State of Maryland, in and for the county aforesaid, personally appeared William F. Logue, Vice President of Carrollwood Manor, Inc., and acknowledged the foregoing Declaration of Covenants, Conditions, and Restrictions to be the act and property of said Corporation.

As Witness my hand and Notarial Seal

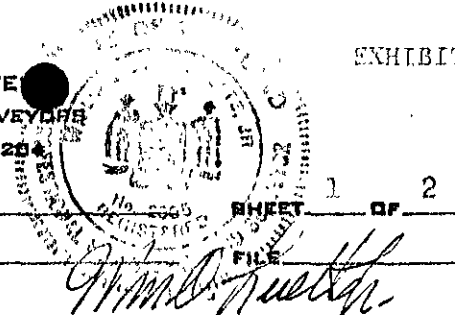
Virginia H. Irby

Virginia H. Irby
My commission expires July 1, 1974.



BY W.O.L.
DATE 11-24-72

Chestnut Property
Carroll Island Road



All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows, to wit:

Beginning for the same at a concrete monument set at the end of the first line of the parcel of land which by a deed dated June 23, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3717, folio 20 was conveyed by Lillian I. Stahl to Walter D. Stahl, Jr., said point of beginning being on the eastmost side of Nollmeyer Road (30 feet wide) and running thence binding on the east side of Nollmeyer Road with the use thereof in common with others entitled thereto (1) North $28^{\circ} 29' 59''$ West 111.15 feet to a concrete monument heretofore set at the beginning of the North $28^{\circ} 31' 05''$ West 3337.24 foot line of the parcel of land which by a deed dated May 16, 1960 and recorded among the aforesaid land records in Liber W.J.R. No. 3701 folio 537 was conveyed by The Utah Corporation to Ellis Realty Company, Inc., said last mentioned concrete monument marking the point at which Nollmeyer Road changes from 30 feet to 50 feet in width (the east side being a continuous line) thence continuing the same course and binding on said last mentioned line as now surveyed and with the eastern outline of the second parcel of land conveyed to Carrollwood Apartments, Inc., as recorded in Liber O.T.G. No. 4510, folio 1 and with the eastern outline of the Plats of Carrollwood as recorded in Plat Books No. 27 folio 70, No. 30 folio 123 and No. 30 folio 148, in all (2) North $28^{\circ} 29' 59''$ West 3337.24 feet to the center of Carroll Island Road at the beginning of the second line of the parcel of land which by a deed dated February 13, 1965 and recorded among the aforesaid land records in Liber J.H.L. No. 44 folio 139 was conveyed by John G. Brian and wife to William H. Mace, thence binding on the second thru fifth lines of said conveyance and in the bed of Carroll Island Road, (3) South $52^{\circ} 34' 44''$ East 684.69 feet, (4) South $53^{\circ} 29' 59''$ East 1311.75 feet, (5) South $70^{\circ} 59' 59''$ East 1105.50 feet and (6) South $60^{\circ} 29' 59''$ East 272.25 feet to intersect the second line of the parcel of land which by a deed dated April 2, 1925 and recorded among the aforesaid land records in Liber W.P.C. No. 610 folio 354 was conveyed by Alma Frayser, et al, to Mary M. Hughes, et al, thence reversely on a part of said line and with the sixth line of the conveyance to William H. Mace and in or near the center of Luthardt Road (7) South $22^{\circ} 30' 01''$ West 255.75 feet, thence binding on a part of the seventh line of the conveyance to Mace and reversely on a part of the first line of the conveyance to Hughes and crossing to and approximately along the east side of Luthardt Road (8) South $9^{\circ} 30' 01''$ West 1270.50 feet to a point measured North $9^{\circ} 30' 01''$ East 660.00 feet from a stone standing on the edge of Seneca Creek at the beginning of the aforesaid conveyance to Hughes and said point being also at the end of the first line of the parcel of land which by a deed dated March 11, 1902 and recorded among the aforesaid land records in Liber N.B.M. No. 259 folio 330 was conveyed by George R. Willis to J. Frederick Luthardt and wife, thence binding on the second line of said conveyance and on the south side of a fifteen foot road with the use thereof in common with others entitled thereto, as now surveyed (9) North $80^{\circ} 41' 36''$ West 543.49 feet to the end of the second line of the aforesaid conveyance to Walter D. Stahl, Jr., thence reversing said second line and binding thereon with the first 25 feet thereof being the south side of the aforesaid fifteen foot road (10) North $81^{\circ} 05' 59''$ West 395.90 feet to the place of beginning.

JAMES S. SPAMER & ASSOCIATES
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 8017 YORK ROAD - TOWSON, MD. 21204

BY W.O.L.
 DATE 11-24-72

Chestnut Property
Carroll Island Road

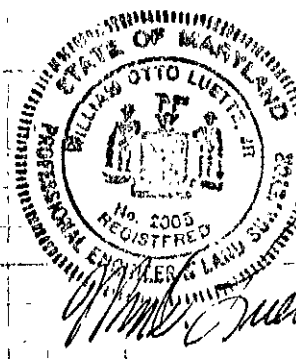
SHEET 2 OF 2
 FILE _____

Containing 75.718 acres of land more or less.

Being all of the property on the south side of Carroll Island Road as set forth in the Last Will and Testament of W. Calvin Chestnut and recorded in the Orphans Court of Baltimore County in Wills Pocket J.P.C. No. 75, folio 493.

Together with the use in common with others entitled thereto to the bed of Mollmeyer Lane.

Subject to the use in common with others entitled thereto to the beds of Carroll Island Road, Luthardt Road and the fifteen foot road adjacent to the north side of the ninth and the first 25 feet of the tenth lines herein.



JAMES S. SPAMER & ASSOCIATE
PROFESSIONAL ENGINEERS & LAND SURVEYORS
8017 YORK ROAD - TOWSON, MD. 21204

BY C.K.S.Remainder of Carrollwood PropertySHEET 1 OF 1DATE 3-26-73

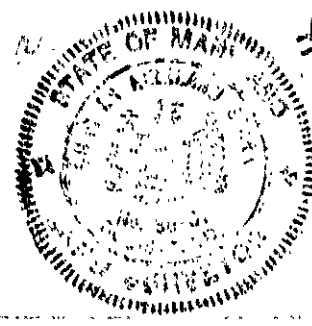
FILE _____

Being a parcel or tract of land situate in the Fifteenth Election District of Baltimore County, Maryland.

Beginning for the same at a point on or near the easternmost side of a road known as Nollmeyer Lane said point being at the end of the 25th or N 70° 26' 44" East 163.43 foot line of that tract of land which by deed dated May 16, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3701, folio 537 etc., was conveyed by The Utah Co. to Ellis Realty Co., Inc., thence binding on or near the said easternmost side of Nollmeyer Lane for use in common with others entitled thereto and running with and binding on part of the 26th line of said conveyance

1. North 28° 29' 59" West 1205.36 feet to the easternmost corner of a Plat of Section 3 - Carrollwood - filed among the Plat Records of Baltimore County in Plat Book O.T.G. #30, folio 148, thence binding on a southern outline and on the rear of Lots 27, 26, 25 and part of the rear of Lot 24 Block J as shown on said Plat
2. South 61° 30' 01" West 282.89 feet to the northeast corner of the Board of Education of Baltimore County property recorded in said Land Records in Liber R.R.G. #4430, folio 46 etc., thence binding on the eastern outline of said property
3. South 28° 29' 59" East 584.83 feet to the end of the 15th line of the first-ly mentioned Ellis Realty Co., Inc., conveyance thence running with and binding on the 16th line of said conveyance
4. South 15° 58' 46" East 483.00 feet to a point on or near the shore line and waters of Seneca Creek, thence running with and binding on the 17th through the 23rd line inclusive of said Ellis conveyance and binding on or near the said shore line and waters of Seneca Creek the seven following courses and distances
5. South 70° 30' 25" East 33.11 feet
6. South 82° 59' 23" East 53.40 feet
7. North 66° 31' 11" East 50.16 feet
8. North 30° 45' 49" East 67.49 feet
9. North 48° 17' 57" East 55.60 feet
10. South 3° 03' 47" West 47.00 feet and
11. South 2° 26' 30" East 51.17 feet thence running with and binding on the 24th and the said 25th line of said Ellis conveyance the two following courses and distances
12. South 87° 56' 10" East 47.06 feet and
13. North 70° 27' 50" East 168.48 feet to the place of beginning.

Containing 8.191 Acres of land more or less.



We the undersigned lot owners of lots 1 thru 12,
block G, of Carrollwood Manor Plat 2, hereby agree to allow
a waiver of the Access Easement that has been provided along
the rear of lot lines 1 thru 12 and the side lot lines of lots
6 and 7 and recorded in Plat Book 41 Folio 56. This waiver is
possible since all lots have back borders on the local "open
space".

Lot 1 <u>Jane E. Lison</u> 4/13/80	Lot 7 <u>Milton W. Wolinski, Jr.</u> 4/4/80
#3931 <u>Jane E. Lison</u> 4/13/80	#3943 <u>Edna W. Wolinski (Mitchem)</u>
Lot 2 <u>NCR, Inc.</u> 4/13/80	Lot 8 <u>Michael J. Smith</u> 4/4/80
#3933 <u>Markus Miller</u> 4/5/80	#3945 <u>Wanda S. Smith</u> 4/4/80
Lot 3 <u>Kenneth E. Eshbrook</u> 4/5/80	Lot 9 <u>Leopold F. Jones</u> 4/13/80
#3935 <u>Clare S. Eshbrook</u> 4/5/80	#3947 <u>W. Lee Jones</u> 4/13/80
Lot 4 <u>Ken A. Johnson</u> 4/5/80	Lot 10 <u>Patricia C. Johnson</u> 4/5/80
#3937 <u>Rachel L. Johnson</u> 4/7/80	#3949 <u>Dianne N. Madoukas</u> 4/5/80
Lot 5 <u>Douglas Keller</u> 4/7/80	Lot 11 <u>NCR, Inc.</u>
#3939 <u>Judith A. Keller</u> 4/6/80	#3951 <u>Markus Miller</u> 4/13/80
Lot 6 <u>Carl J. Hartmann, Jr.</u> 4/4/80	Lot 12 <u>Joe C. Bailey Jr.</u> 4-6-80
#3941 <u>Susan D. Hartmann</u> 4/4/80	#3953 <u>Lonna Bailey</u> 4-6-80

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT (S) SIGN-IN SHEET

NAME

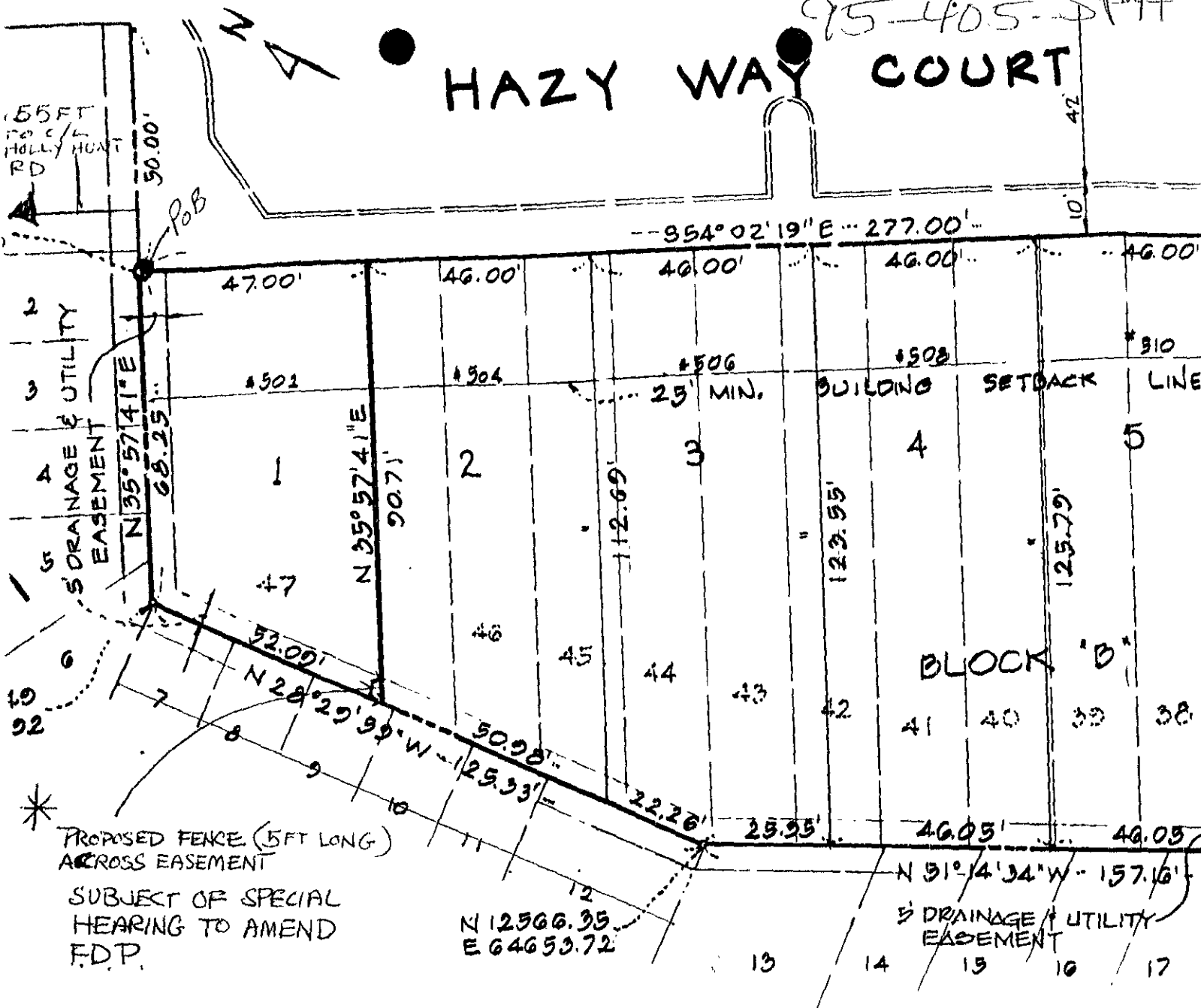
John M. Mitchell

ADDRESS

7825 Bennett Drive
Baltimore, Md. 21236

95-405-5014

HAZY WAY COURT



RESUBDIVISION
PLATONE
CARROLLWOOD MANOR
E.H.K. JR. 39-26

399

PLAN FOR SPECIAL HEARING (SEE *)

OWNER OF LOT 1 BLOCK B IS
JOHN BARRANCO JR.

ADD: 502 HAZY WAY COURT. 21220

ZONE DR 5.5 NOT CBCA PUB WATER+SEWER.

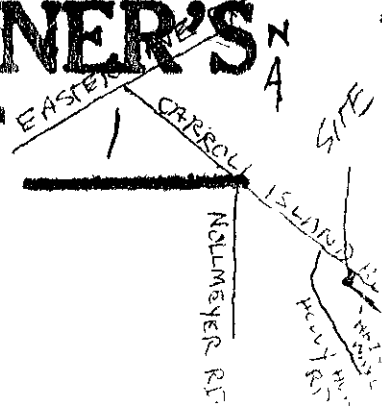
CANAL DIST 5 ELEC DIST 15

LOT SIZE 3,760 # ZONING-MAP NE.4K.

SCALE = 1" = 30 FT.

PETITIONER'S EXHIBIT

VICINITY MAP N.T.S.



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

John Barranco Jr.

502 Hazy Way CT 2/220

Carol Harris

502 Holly Hunt Rd 2/220

8/15/95

Court date 9/15/95

C. McAnaw

7/

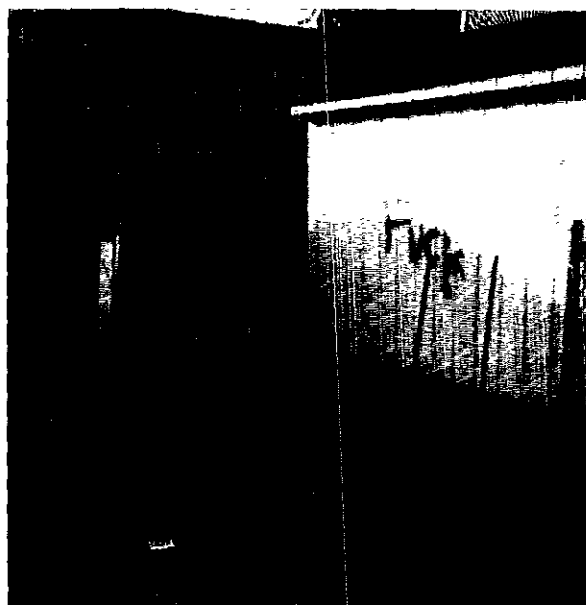


95-405-SPH

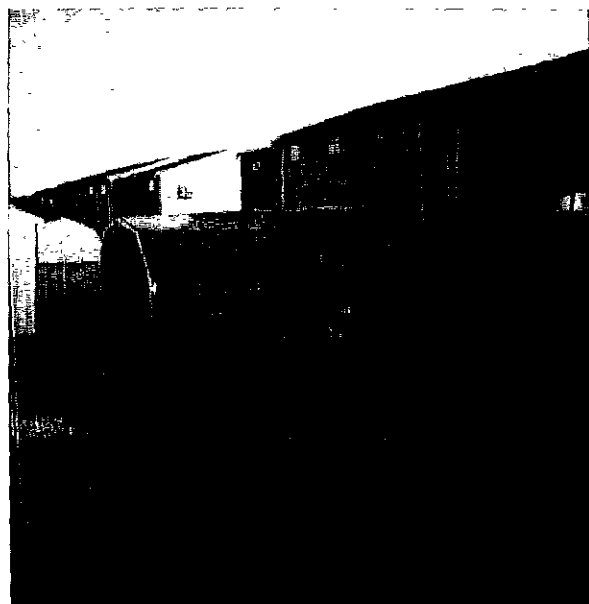




Picture Showing Vandalism To Shed
on my property 502 Hazy Way Ct. *Pet #8*



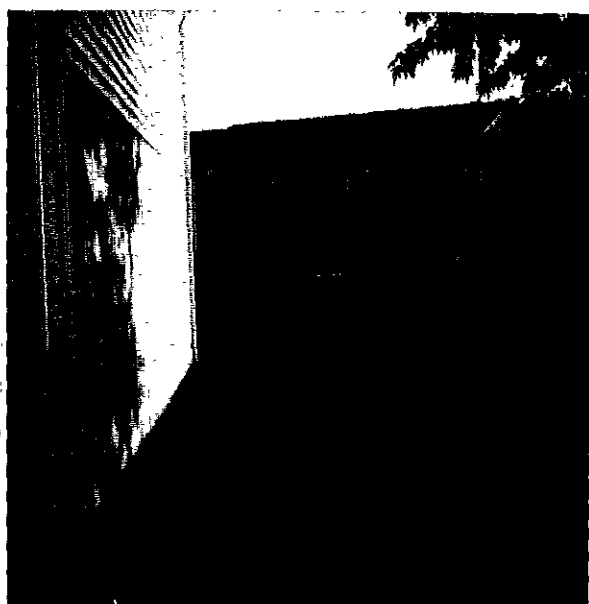
Picture indicating supposed easement
blockage and vandalism



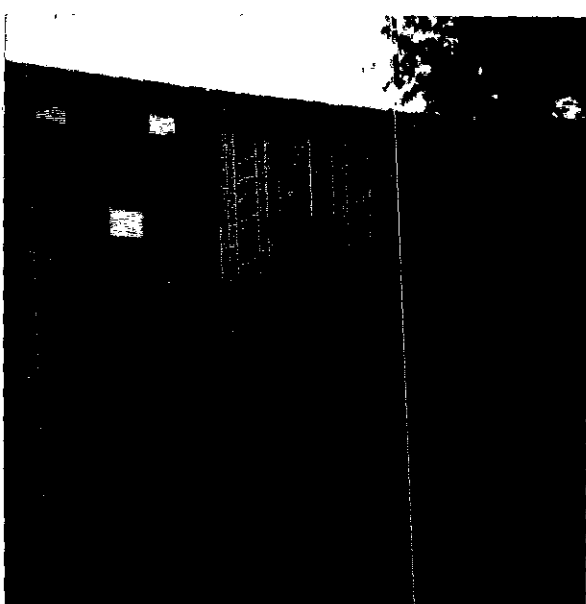
Picture indicating rear of 513, 515 and 517
Holly Hunt Road showing fences and shed
in easement



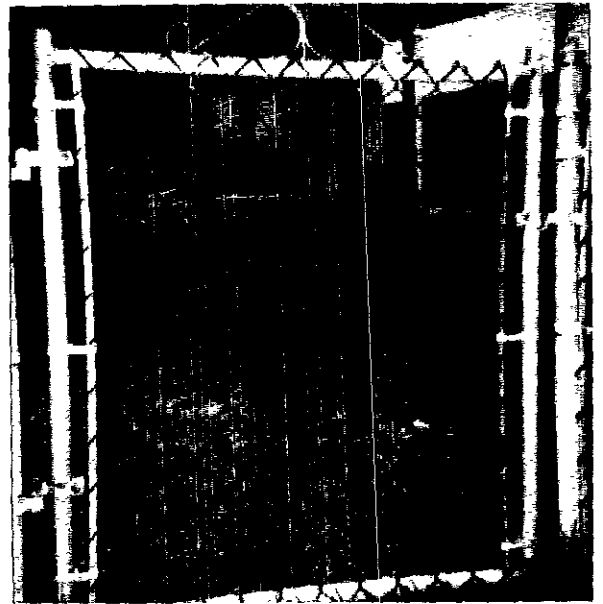
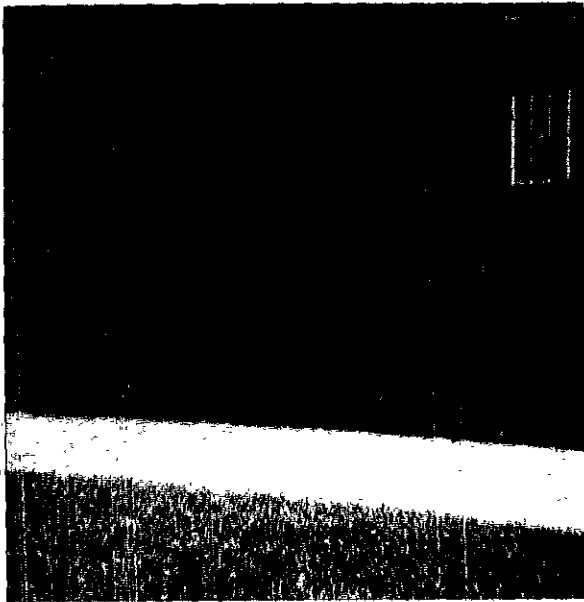
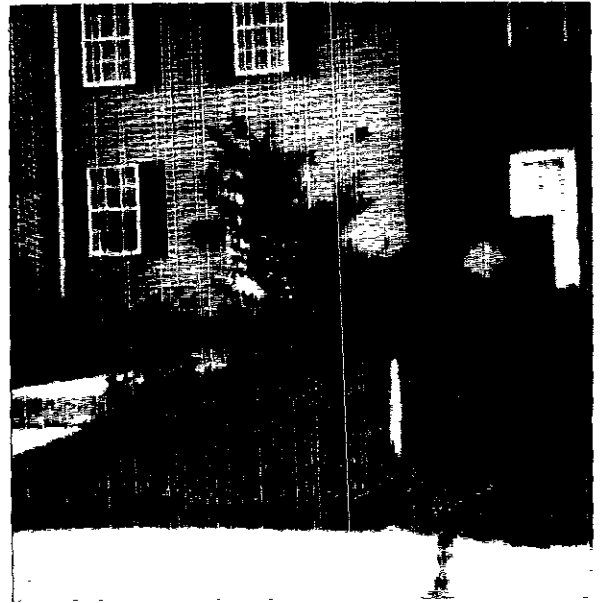
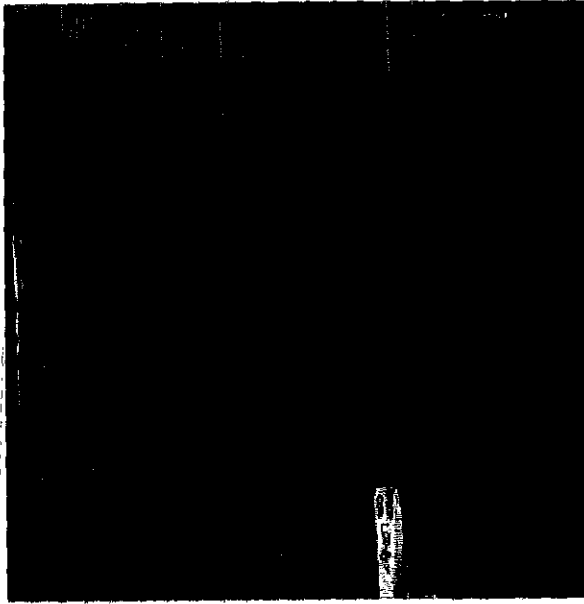
Rear View picture indicating no access
easement at rear of 502 Hazy Way Ct
No need for anyone to cut through Yard



Picture indicating that there is no access
easement at rear of 502 Hazy Way Ct.
(Side View)



Picture Showing Vandalism To Fence
at 509 Holly Hunt Rd which backs up
to 502 Hazy Way Ct



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 10, 1995

(410) 887-4386

Mr. John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, Maryland 21220

RE: PETITION FOR SPECIAL HEARING
SW/S Hazy Way Court, 155' SE of Holly Hunter Road
(502 Hazy Way Court)
15th Election District - 5th Councilmanic District
John S. Barranco, Jr. - Petitioner
Case No. 95-405-SPH

Dear Mr. Barranco:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mrs. Estelle Blandon, 511 Holly Hunt Road, Baltimore, Md. 21220

Ms. Doris Peake, 513 Holly Hunt Road, Baltimore, Md. 21220

Mr. John M. Mitchell, 7805 Bennerton Drive, Baltimore, Md. 21236

People's Counsel; File

Handwritten note: MICHAEL



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

MRS. Estelle Blandon

Ber No. MD. 21220

511 Holly Hunt Rd.



11/10/2011 11:00 AM

PROTESTANT(S) SIGN-IN SHEET

NAME

Doris Leake

ADDRESS

513 Hulley Hunt Rd 21228

IN RE: PETITION FOR SPECIAL HEARING
SW/2 Hazy Way Court, 155' SE
of Holly Hunter Road
(502 Hazy Way Court)
15th Election District
5th Councilmanic District
John S. Barranco, Jr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-405-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 502 Hazy Way Court, located off of Carroll Island Road in the vicinity of Bengies/Bowleys Quarters. The Petition was filed by the owner of the property, John S. Barranco, Jr., in response to a zoning violation notice he received for blocking an access easement to the rear of his property. The Petitioner seeks a determination that the area to the rear of his property is not an access easement and may therefore be blocked without the necessity of amending the final development plan, or, in the alternative, to approve an amendment to the last amended final development plan for Lot 1, Block B of Carrollwood Manor, to permit the blockage of said easement. The subject property and relief sought are more particularly described on the site plan and photographs submitted and accepted into evidence as Petitioner's Exhibits 1 and 2, respectively.

Appearing at the hearing on behalf of the Petition were John Barranco, Jr., property owner, and Carol Harris, property owner to the rear of this site. Appearing as Protestants in the matter were Doris Peake and Estelle Blandon, nearby residents of the area, and John Mitchell.

Testimony and evidence offered revealed that the subject property consists of 3,760 sq.ft., more or less, zoned D.R. 5.5 and is improved with

a two-story single family dwelling. In approximately October, 1994, the Petitioner had driven five steel rods into the ground along his rear property line in order to block individuals from trespassing through his property. Mr. Barranco testified that he wishes to erect a 6-foot high stockade fence along the rear of his property which abuts a 10-foot wide drainage and utility easement. Testimony indicated that this drainage easement runs behind his property and others which front on Hazy Way Court, and the townhouse units that abut the rear of those properties on Hazy Way Court and front on Holly Hunt Road. Mr. Barranco testified that several of the properties which abut this easement have been vandalized and he believes that the proposed fence would effectively block individuals from trespassing through his property.

The Protestants are vehemently opposed to the blocking of this easement as it interferes with their ability to access the front of their properties from their rear yards. Ms. Peake and Ms. Blandon reside in the townhouses which front on Holly Hunt Road and abut the easement to the rear. They testified that if Mr. Barranco is permitted to block this access easement, they will have to carry their lawn mowers through their homes in order to cut the grass in their front yards. Apparently, there is no other means of access to the rear of those townhouse units facing Holly Hunt Road.

In order to decide this issue, it was necessary to consult the final development plan for Carrollwood Manor which would identify the locations of access and utility easements throughout this development. This development plan clearly labels the easement behind Mr. Barranco's property as being a 10-foot drainage and utility easement and access easement. It is important to note that this easement has also been labeled as an access easement, which cannot be blocked and must remain open and free

of any obstruction. Neither Mr. Barranco nor any other resident of this community is permitted to block this access easement, whether it be by fencing, sheds, or other similar structures. Therefore, the special hearing relief sought by Mr. Barranco must be denied. Furthermore, in view of the photographs submitted by the Petitioner, this matter shall be referred to the Zoning Enforcement Division of the Zoning Administration and Development Management (ZADM) office to advise all residents adjacent to this easement that any and all structures, including sheds, fences, etc., located within this access easement must be removed, or the property owner shall be found in violation of the Baltimore County Zoning Regulations (B.C.Z.R.).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested in the special hearing must be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1995 that the Petition for Special Hearing seeking a determination that the area to the rear of this property is not an access easement and may therefore be blocked without the necessity of amending the final development plan for Lot 1, Block B of Carrollwood Manor, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Zoning Administration and Development Management (ZADM) office notify all residents abutting this 10-foot access/utility easement that any and all structures located therein must be removed or the property owner will be cited with a zoning violation.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 10, 1995

(410) 887-4386

Mr. John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, Maryland 21220

RE: PETITION FOR SPECIAL HEARING
SW/2 Hazy Way Court, 155' SE of Holly Hunter Road
(502 Hazy Way Court)
15th Election District - 5th Councilmanic District
John S. Barranco, Jr. - Petitioner
Case No. 95-405-SPH

Dear Mr. Barranco:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mrs. Estelle Blandon, 511 Holly Hunt Road, Baltimore, Md. 21220

Ms. Doris Peake, 513 Holly Hunt Road, Baltimore, Md. 21220

Mr. John M. Mitchell, 7805 Bennerton Drive, Baltimore, Md. 21236

People's Counsel: File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 502 HAZY WAY COURT
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve blockage of an area by:

determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan, or

As an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1 Block B

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City State Zipcode

When do property owners and affirm, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this petition?

Legal Owner(s)

John S. Barranco Jr.

(Type or Print Name)

Signature

Address

City State Zipcode

Signature

Name

Address

City State Zipcode

Signature

Name

Address

City State Zipcode

Signature

Name

Address

City State Zipcode

Signature

Name

Address

City State Zipcode

Signature

Name

Address

City State Zipcode

Zoning Description for 502 Hazy Way Court

Election District 15th Councilmanic District 5th

Beginning at a point on the southwest side of Hazy

Way Court at a distance of 155 feet southeast of the

centerline of Holly Hunt Road. Being Lot #1, Block

B, in the subdivision of Carrollwood Manor as

recorded in Baltimore County Plat Book #39, Folio

#26 containing lot size 3,760 sq. ft.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th Date of Posting 7/10/95

Posted for Special Hearing

Petitioner: John S. Barranco, Jr.

Location of property: 502 Hazy Way Ct, Sals

Location of Signs: Along roadway on property being zoned

Remarks:

Posted by: [Signature] Date of return: 7/14/95

Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 112 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-405-SPH
502 Hazy Way Court
SW/2 Hazy Way Court
15th Election District
5th Councilmanic District
Legal Owner(s):
John S. Barranco, Jr.
Hearing: Monday
July 10, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are held in Room 112 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204. (2) For information concerning the hearing, please call 887-3391. (3) July 10, 1995.

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 19, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on May 4, 1995.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

Printed with Soybean Ink
on Recycled Paper

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-405-SPH

Account: R-001-6150

Number 399

BY VLL

Date 5/4/95

1 RES SPH Code 030 50.00

1 SIGN POSTING "080 35.00

TOTAL = 85.00

BARRANCO
502 HAZY WAY CT.

01A01H0073MICWRC

8A C30P129A05-04-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

\$85.00

ORDER RECEIVED FOR FILING
Date 7/10/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/10/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/10/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/10/95
By [Signature]



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 399

Petitioner: BARRANCO

Location: 502 HAZY WAY CT.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John S. Barranco, Jr.

ADDRESS: 502 Hazy Way Court

Baltimore MD 21204

PHONE NUMBER: (410) 887-3353

AJ:ggg

(Revised 04/09/93)

TO: POTOMAC PUBLISHING COMPANY
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, MD 21220
335-5343

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-405-SPH (Item 399)

502 Hazy Way Court

50/5 Hazy Way Court, 155' SE of Holly Hunt Road

15th Election District - 5th Councilmanic

Legal Owner(s): John S. Barranco, Jr.

HEARING: MONDAY, JUNE 12, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan; OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-405-SPH (Item 399)

502 Hazy Way Court

50/5 Hazy Way Court, 155' SE of Holly Hunt Road

15th Election District - 5th Councilmanic

Legal Owner(s): John S. Barranco, Jr.

HEARING: MONDAY, JUNE 12, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve blockage of an area by determining that the area currently obstructed is not an access easement and may therefore be blocked without the necessity of amending the final development plan; OR, as an alternative, should approve said blockage of the easement by allowing an amendment to the last amended final development plan of Carrollwood Manor for Lot 1, Block B.

Arnold Jablon
Director

cc: John S. Barranco, Jr.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John S. Barranco, Jr.
502 Hazy Way Court
Baltimore, Maryland 21220

RE: Item No.: 399
Case No.: 95-405-SPH
Petitioner: J. S. Barranco, Jr.

Dear Mr. Barranco:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 22, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 390, 399, 402, 403 and 407.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Long

PK/JL

ITEM399/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 5/15/95

DATE: 5/16/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 393
394
395
396
398
399
400

LS:sp

LETTY2/DEPRM/TXTSBP



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396, 397, 398, 399 AND 400.

cc: File

Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 399 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

RECEIVED
MAY 18 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 4, 1995
TO: Hearing Officer
FROM: John L. Lewis
Planner II, ZADM
SUBJECT: Item #399
502 Hazy Way Court

I suggested that photos and possibly a more detailed exhibit may be a good idea for hearing.

JLL:scj

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 31, 1995
TO: Lee S. Thomson
Office of Law
FROM: James H. Thompson
Zoning Enforcement
RE: Case No. 94-144
502 Hazy Way Court
Barranco - Defendant
15th Election District

The referenced case is scheduled for district court on June 7, 1995 at 1:30 p.m.

Currently, there will be a public hearing in Case No. 95-405-SPH before the zoning commissioner to address the issue outlined in the citation sent by Craig McGraw.

If you cannot have this case removed from the docket at this late date, then we will have to continue this matter pending the outcome of the special hearing.

JHT/hek

c: Doris Peake
Craig McGraw
Owen Stephens

RE: PETITION FOR SPECIAL HEARING
502 Hazy Way Court, SW/S Hazy Way Court,
155' SE of Holly Hunt Road, 15th
Election District, 5th Councilmanic
John S. Barranco, Jr.
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-405-SPH

ENTRY OF APPEARANCE

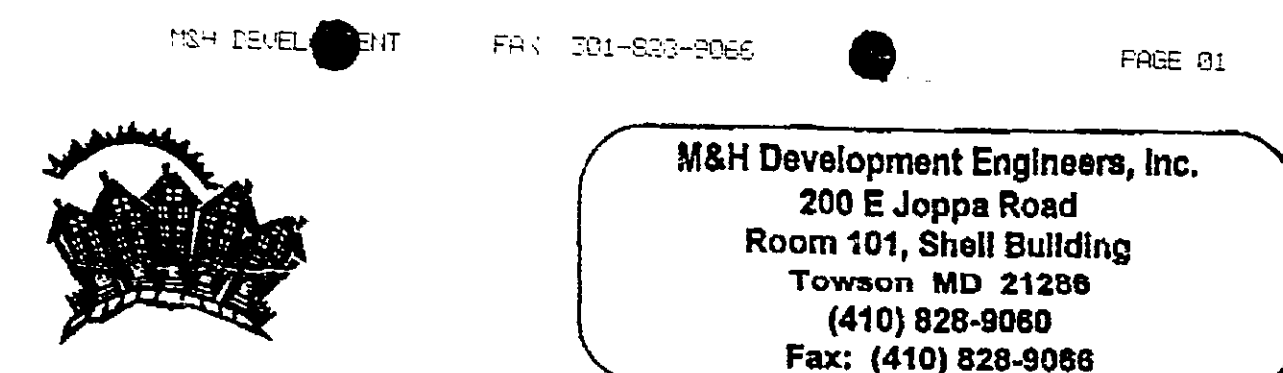
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John S. Barranco, Jr., 502 Hazy Way Court, Baltimore, MD 21220, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Telefax Cover Sheet

DATE: 6-9-95
TO: Doris Peake
FROM: Vince
OF PAGES INCLUDING COVER SHEET: 4

If you do not receive all pages or have any problems receiving this transmission, please call the office as soon as possible.

Real Estate Plus

M. ANITA DOWLING
Broker

7-20-88

Dear Property Owner,
As per the enclosed survey for 501 Hazy Way Ct. which the rear of your property abuts, your fence is not in accordance with this property and needs to be removed as soon as possible so we can go to settlement as scheduled. I have also enclosed a plat of Hazy Way Ct. with recorded plat showing your lot which measures 60' x 119' x 10'. I hope these will expedite the removal of your fence and from 501 Hazy Way Ct. Sincerely,
M. Anita Dowling

8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301-221-0030

I Ronald + Debbie Brown as principal resident of 511 Holly Hunt Rd. have recently (August 1st, 1988) been made aware that my backyard fencing is occupying property owned by Mr. John S. Barranco Jr. of 502 Hazy Way Court

directly behind my principal residence. Mr. Barranco has provided me with plat dimensions and survey data attesting to said encroachment. I acknowledge receipt of these records and acknowledge the fact that I am occupying a portion of his property. As per Mr. Barranco's instructions, I will remove my personal property from his land as soon as possible but no later than September 18th, 1988, after which time I will be held liable for damages.

Signed
Mr. + Mrs. Ronald Brown
8/08/88

Real Estate Plus

M. ANITA DOWLING
Broker

7-20-88

Dear Mr. Osment,
As per the enclosed survey for 501 Hazy Way Ct. which the rear of your property abuts, your fence is not in accordance with this property and needs to be removed as soon as possible so we can go to settlement as scheduled. I have also enclosed a plat of Hazy Way Ct. with recorded plat showing your lot which measures 18' x 108' ft. I hope these will expedite the removal of your fence and from 501 Hazy Way Ct. Sincerely,
M. Anita Dowling

8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301-221-0030

I Wes Osment as principal resident of 513 Holly Hunt Rd. have recently (August 1st, 1988) been made aware that my backyard fencing is occupying property owned by Mr. John S. Barranco Jr. of 502 Hazy Way Court

directly behind my principal residence. Mr. Barranco has provided me with plat dimensions and survey data attesting to said encroachment. I acknowledge receipt of these records and acknowledge the fact that I am occupying a portion of his property. As per Mr. Barranco's instructions, I will remove my personal property from his land as soon as possible but no later than September 18th, 1988, after which time I will be held liable for damages.

Signed
Wes Osment Jr.

Real Estate Plus

M. ANITA DOWLING
Broker

7-20-88
Dear Jerry & Melba,
I have enclosed copies of the recorded plat showing your lot which measures 10 feet wide & 100 feet deep. A copy of the survey showing the one-way easement of your fence to the appropriate spot the other rear lot would have been if your neighbors shed was not in the way. I hope these will help to expedite the removal of your fence from the property at 501 Holly Way. So we can get settlement as scheduled. Sincerely,
M. Anita Dowling
8601 LOCH RAVEN BOULEVARD • TOWSON, MARYLAND 21204 • 301-321-0950

V GERARD C. SOKOLIS as principal resident of
515 HOLLY MOUNTAIN
has recently (August 1st, 1988)
been made aware that my backyard fencing is occupying property
owned by Mr. John S. Baranco Jr. of 502 Holly Way Court

directly behind my principal residence. Mr. Baranco has provided me with plot dimensions and survey data attesting to said encroachment. I acknowledge receipt of these records and acknowledge the fact that I am occupying a portion of his property. As per Mr. Baranco's instructions, I will remove my personal property from his land as soon as possible but no later than September 18th, 1988, after which time I will be held liable for damages.

Signed
Gerard C. Sokolis
8/8/88

XV-181

Carrollwood Manor

March 9, 1972

OFFICE OF PLANNING AND ZONING
CHECKLIST FOR DEVELOPMENT PLANS
(PARTIAL OR FINAL)

GENERAL:

1. Name of Subdivision and Section
2. Election District
3. Name and address of owner, developer, engineer or land surveyor. (Seal)
4. Scale: Must be legible and clearly show enough detail per engineering scale approved by Office of Planning and Zoning
5. North arrow
6. Date
7. Location Plan: to be legible and clearly relate the site to its surroundings
8. Bearings and distances around complete outline of tract
9. Existing topography and major vegetation
10. Relation of tract to additional property owned. (If partial development plan)
11. Complete acreage and density calculations
12. Signature block:

Office of Planning and Zoning Approved by:	
Director	Date
Zoning Commissioner	Date

MICROFILMED

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MICROFILMED

Continued

(2)

NOTES:

1. Location, types, and exterior dimensions of all proposed structures and existing structures to be retained.
2. Density Units - typical floor plans of each model, drawn to scale. (To include square footage of each room and location of windows)
3. Dwelling Units - location of windows
4. Typical elevation drawing showing height to height relationships and the horizontal distance between buildings and relationships between opposite windows.
5. Setbacks, to be shown thusly, where applicable:
Transition areas,
300' from existing dwelling (offsite)
250' from existing lot of record (less than 2 acres)
75' between D.R. 16 building and any other D.R. zone
30' building to tract boundary
50' building to center line of street (existing at time of development)
25' building to street right of way (existing at time of development)
15' window to property line
25' window to street right of way
35' window to tract boundary
40' window to window (different buildings)
exception - clerestory
6. Maximum width of any building or group of attached buildings is 300'.
7. Minimum width of any exterior passageway or archway between buildings is 10'.
8. Private Space Factor - Do this
When open land is sold and belongs to the dwelling unit, a minimum area (contiguous) of 500 square feet is required. The minimum depth of this contiguous area is 15' covered areas such as porches cannot be calculated in this space.

Continued

(4)

PARKING:

1. No parking space shall be closer to a street right of way line than 8 feet. (Exception: special conditions approved by the Department of Public Works and the Office of Planning and Zoning).
2. Maximum length of a parking bay is 180 feet, adjoining parking bays must be separated by a 10 foot divider strip.
3. Parking spaces will be a minimum of 9 feet X 18 feet.
4. No entrance on a County road shall be closer than 10 feet to a side property line.
5. Private parking areas and driveways shall be paved with a durable and dustless surface. (Surfacing agent will be designated).
6. All dead-end parking bays will be provided with acceptable back-around or turn-around areas.
7. Head-in to head-in parking should be separated by a 6 foot median or divider strip.
8. 60 foot minimum for double sided head-in bay parking and accompanying drive.
9. 42 foot minimum for single bay head-in parking and accompanying drive.
10. Direct access from individual parking spaces or private driveways where ADT exceeds 1000 vehicles is subject to the approval of the Traffic Engineer, Director of Planning and the Director of Public Works.
11. Head-in or angle parking on opposite sides of a traveled way must be staggered or confined to one side of a traveled way where ADT exceeds 600.
12. Head-in parking is permitted on a court or cul-de-sac with less than 800 ADT.
13. The offstreet parking requirement may be satisfied within the Public right of way only with the written permission of the Director of Public Works.
14. All parking spaces must be accessible and not subject to blockage by other vehicles.
15. Offstreet parking spaces should be closer or more conveniently related to the door of home or unit than to the street curb. Where this requirement is not met, wider streets may be required.

Continued

(5)

16. All lighting used to illuminate off street parking areas is subject to the approval of the Office of Planning and Zoning. Detailed information may be required by this office as to type of lighting and location and height of light standards.
17. Details concerning entrances on State Roads are subject to the approval of the State Highway Administration. (383-4321)
18. Parking shall be provided according to the following schedule:

Zoning Classification	Minimum number of off street spaces per dwelling or density unit
D.R. 1	2 per dwelling unit
D.R. 2	2 per dwelling unit
D.R. 3.5	2 per dwelling unit
D.R. 5.5	1.75 per dwelling unit
D.R. 10.5	1.75 per dwelling unit
*D.R. 16	1.53 per density unit
*R.A.E. 1	1.53 per density unit
R.A.E. 2	1 per dwelling unit

*Not less than 1 space per dwelling unit.
19. Since the above schedule is designed to provide for average needs plus an additional safety factor, it is necessary to provide for the multi-car family, deliveries and social functions. Where parking is provided by individually owned spaces the street section must be designed for additional nonresident parking on the street. Where parking is owned in common or by an apartment operator at least .3 of the total offstreet requirement must not be assigned to individual residents but designated for common use.

George - Show envelope Note on F.D. Plans
OK - Upper R.H. under Varsity Map

DECLARATION

OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS DECLARATION, made this 22nd day of March in the year one thousand nine hundred and seventy-three by Carrollwood Manor, Inc., hereafter referred to as "Declarant",

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of certain properties in the Fifteenth Election District of Baltimore County, described in the attached land descriptions, marked Exhibit "A" and further described on the record plats, entitled Section One, Carrollwood Manor and Section Two, Carrollwood Manor, recorded or intended to be recorded among the Land Records of Baltimore County in Liber No. _____, Folio No. _____; which record plat shows certain open space.

AND WHEREAS, Declarant now and hereafter covenants said properties subject to certain protective covenants, conditions, and restrictions hereafter set forth:

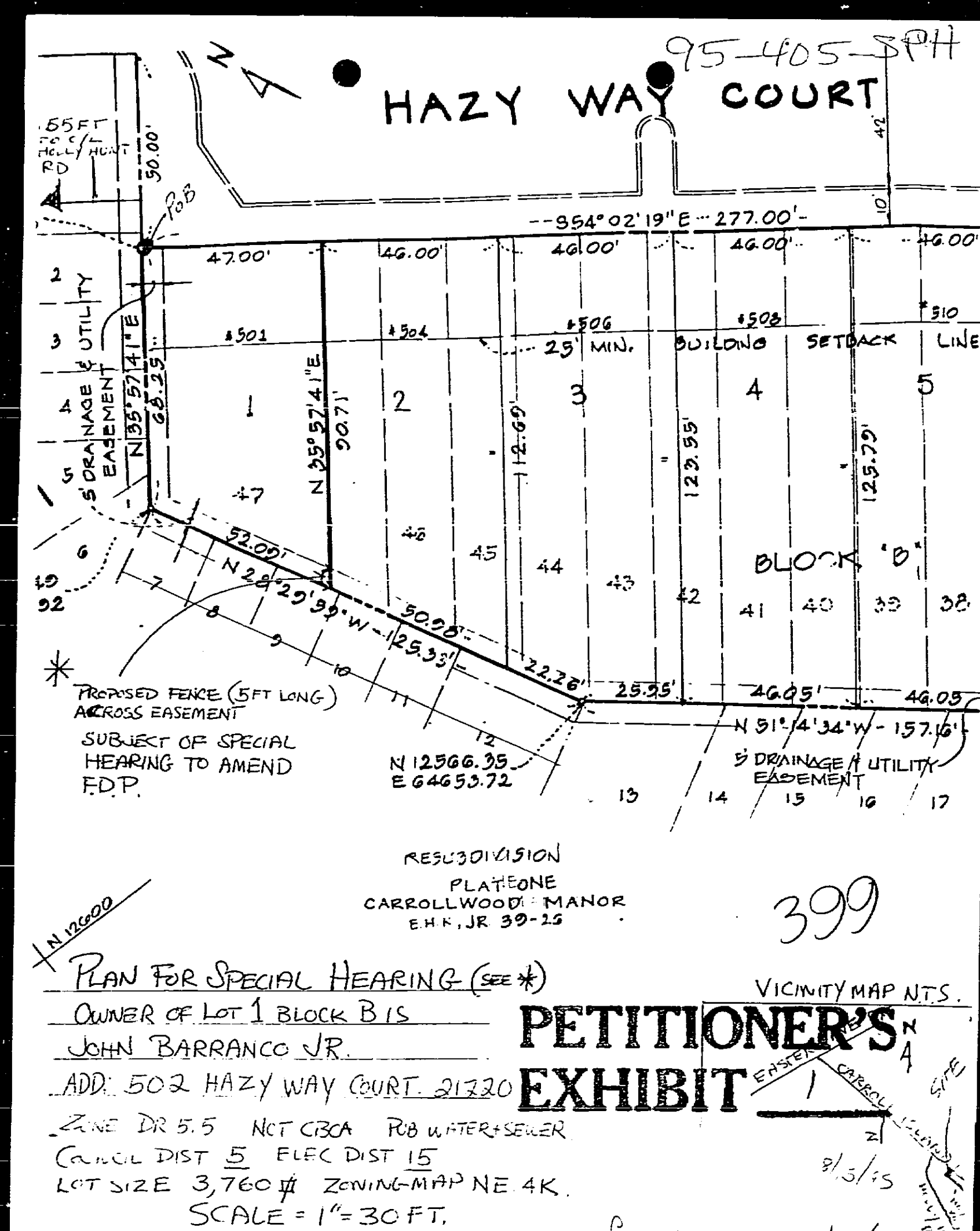
NOW, THEREFORE, Declarant hereby declares that all the properties specifically described as open space areas above shall be held, sold, and conveyed subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the subject property and for the use, benefit, and enjoyment, in common, of the residents. These covenants, conditions, and restrictions shall run with the real property and shall be binding on all parties having or acquiring any right, title, or interest in the described properties or any part thereof, and shall inure to the benefit of all the residents thereof, except and in the event such restrictions are removed or modified in accord with Article V hereof, in which event Declarant shall be relieved of its obligation to the extent enumerated in such removal, modification or amendment.

ARTICLE I

- DEFINITIONS -

- Section 1. "Properties" shall mean and refer to those certain real properties hereinbefore described as open space areas.
- Section 2. "Improvements" shall mean all structures, pools, fences, etc., on hereinbefore described properties for the common use and enjoyment of the residents of the hereinbefore described tract.
- Section 3. "Owner" shall mean and refer to the record owner whether one or more entities or persons are so associated with said ownership, but excluding those having such interest merely as security for the performance of obligation.
- Section 4. "Declarant" shall mean and refer to Carrollwood Manor, Inc., its successor and assigns if such successors or assigns should acquire any of the hereinbefore described properties from the Declarant.

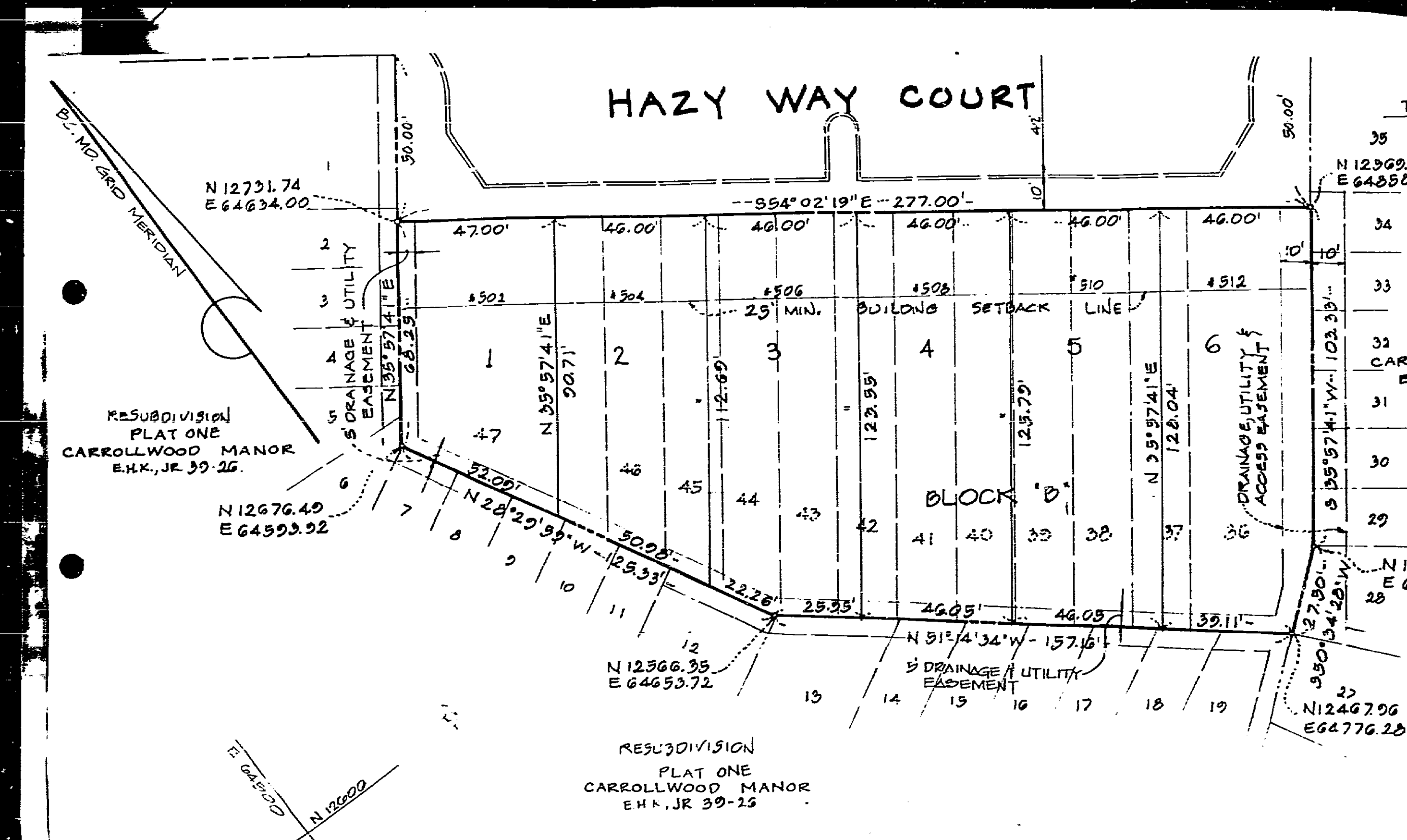
Lot 1	<u>James E. Sisson</u> 4/13/80	Lot 7	<u>Mittal H. Holinski Jr.</u> 4/13/80
#3931	<u>Jordan E. Sisson</u> 4/13/80	#3943	<u>Erin M. Wolinski (Mittal)</u> 4/13/80
Lot 2	<u>N.C.R. Inc.</u> 4/15/80	Lot 8	<u>Michael D. Smith</u> 4/13/80
#3933	<u>William E. Miller</u> 4/15/80	#3945	<u>Nancy S. Smith</u> 4/13/80
Lot 3	<u>Edward E. Smith</u> 4/15/80	Lot 9	<u>George L. Davis</u> 4/13/80
#3935	<u>Wesley E. Schmitt</u> 4/15/80	#3947	<u>William M. Jones</u> 4/13/80
Lot 4	<u>Joe A. Carter</u> 4/15/80	Lot 10	<u>Latino E. Morrison</u> 4/13/80
#3937	<u>Robert L. Johnson</u> 4/15/80	#3949	<u>Dianne M. Morrison</u> 4/13/80
Lot 5	<u>Donald E. Miller</u> 4/17/80	Lot 11	<u>N.C.R. Inc.</u> 4/13/80
#3939	<u>John W. Miller</u> 4/17/80	#3951	<u>Marlene E. Miller</u> 4/13/80
Lot 6	<u>Carl J. Hartman</u> 4/17/80	Lot 12	<u>JEC Bank</u> 4-6-80
#3941	<u>Susan D. Hartman</u> 4/17/80	#3953	<u>Donna Bank</u> 4-6-80

[illegible][illegible][illegible][illegible]

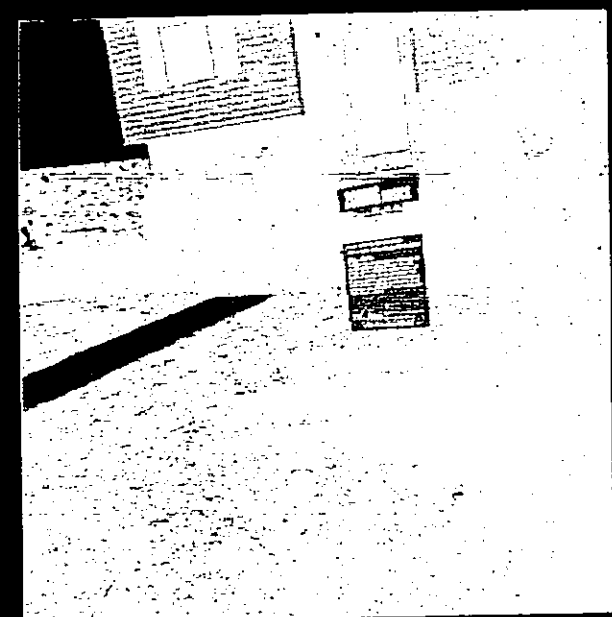
399

**PETITIONER'S
EXHIBIT**

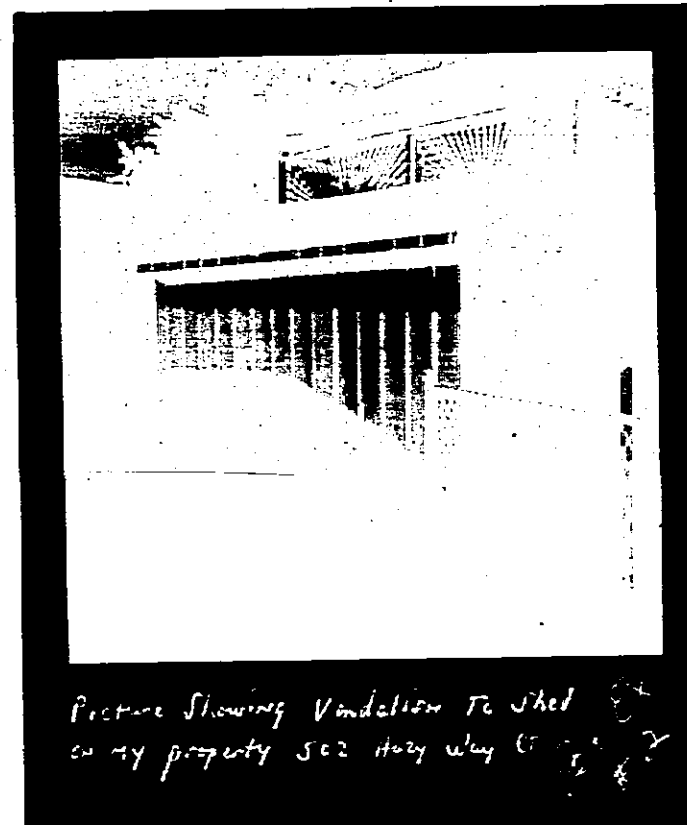
Court date 9/15/95
C. McNamee



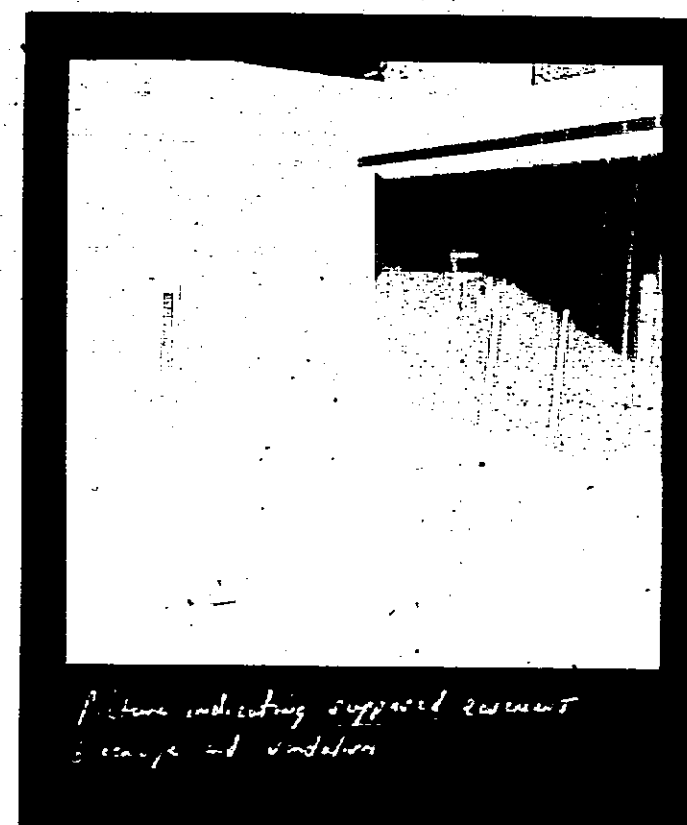
95-405-SPH



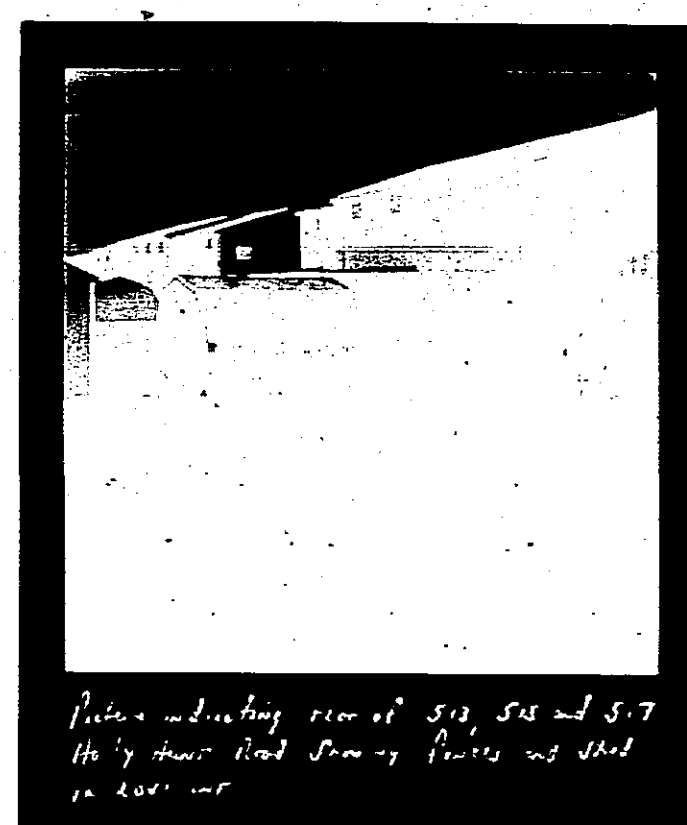
Pettinore's
Exhibit 2
95-405-SPH



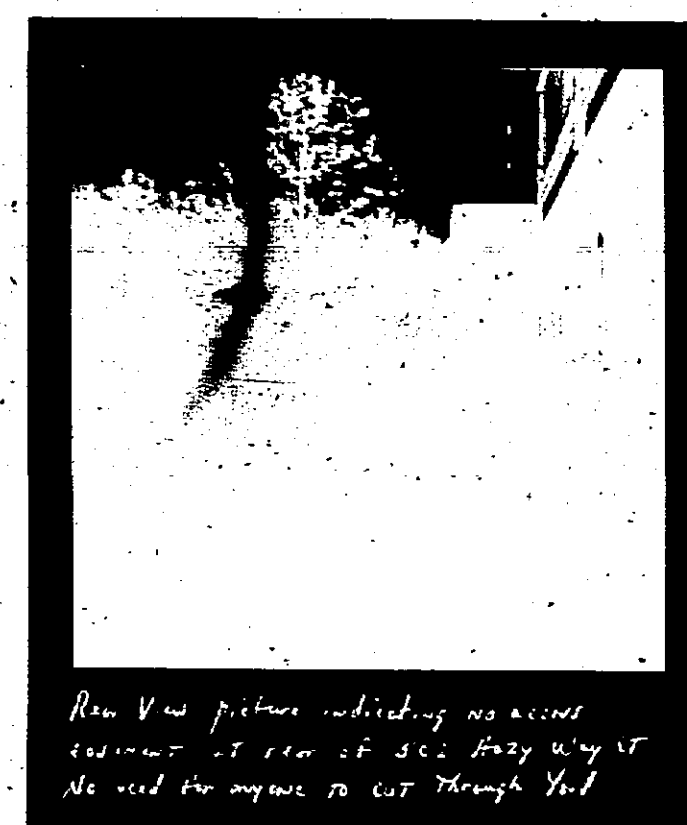
Picture showing vandalism to shed
on my property 503 Holly Way CT



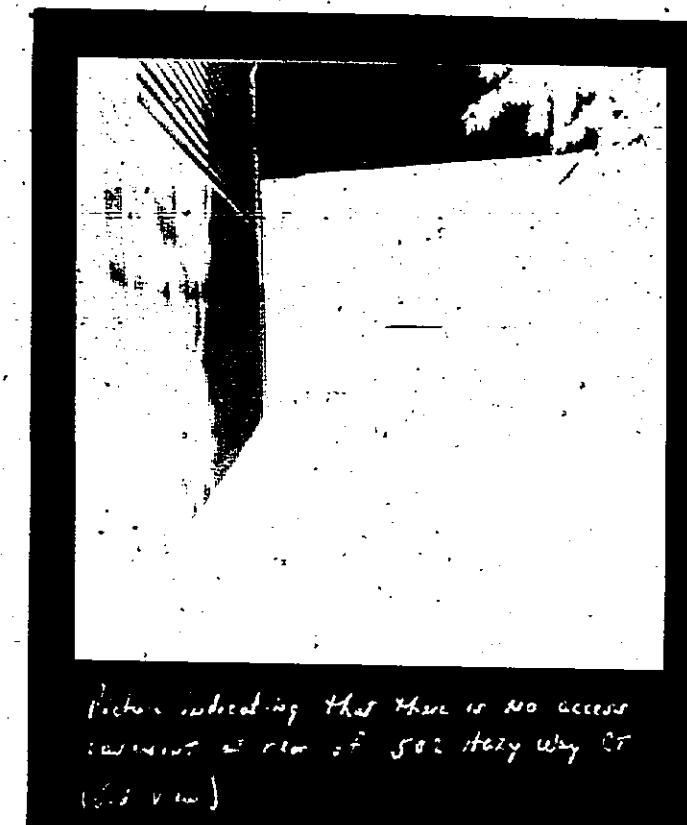
Picture including supposed easement
to garage and vandalism



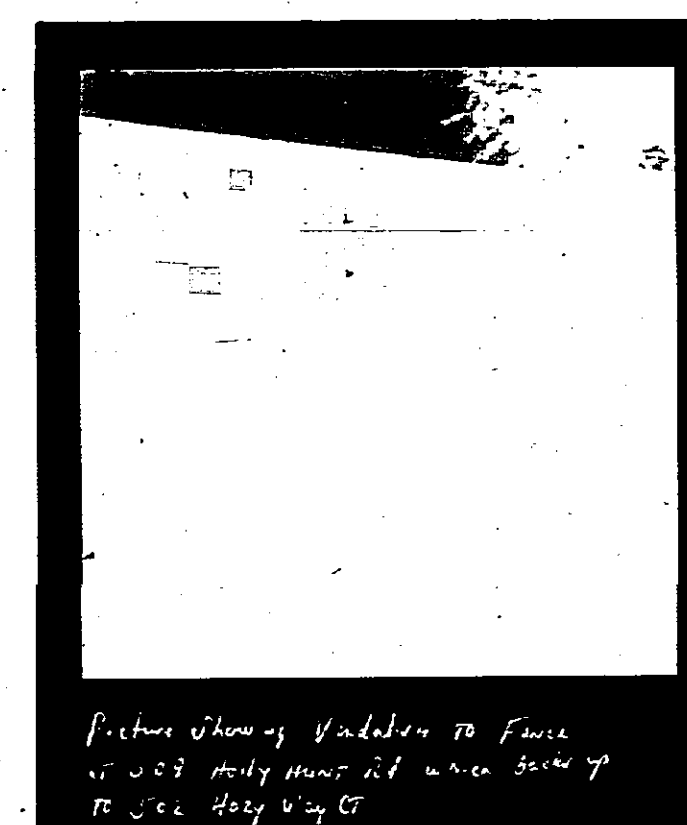
Picture including view of 503, 504 and 505
Holly Way Road showing fence and shed
in back yard



New View picture including no access
easement to view of 503 Holly Way CT
No need for anyone to cut through yard



Picture indicating that there is no access
easement to view of 503 Holly Way CT
(503 view)



Picture showing vandalism to fence
at 503 Holly Way CT when backing up
to 504 Holly Way CT

